

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RODRIGO ORTEGA GARCIA,

Defendant.

4:12CR3131

DETENTION ORDER

Defendant is currently in state custody on related charges. As to the charges in this forum, he was afforded an opportunity for a hearing, but agreed to be detained without a hearing. The defendant has therefore failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3143 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that defendant will appear at court proceedings and will not pose a danger to the safety of any person or the community if released. The Court's findings are based on the allegations within the Petition.

Accordingly,

IT IS ORDERED:

- 1) The defendant shall be returned to state custody for confinement on state charges.
- 2) Upon release from state custody, the U.S. Marshal is commanded to take custody of the above-named defendant for further proceedings in this court.

April 17, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

